

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-4082
 Fax (916) 657-5390
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November 13, 2007

Environmental Impact Office

U.S. DEPARTMENT OF ENERGY

1551 Hillshire Drive
 Las Vegas, Nevada 89117

Re: SCH#1999084008; Notice of Completion; NEPA draft Environmental Impact Statement – YUCCA Mountain
 Geologic Repository, located in Nye County, Nevada, Closest California County, INYO

Dear EIS Office;

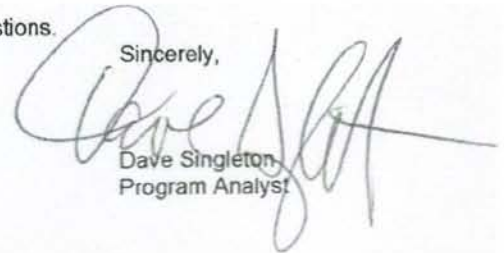
Thank you for the opportunity to comment on the above-referenced document. The National Environmental Policy Act (NEPA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archeological resources, is a 'significant effect' requiring the preparation of a draft Environmental Impact Statement (DEIS). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the area of project effect (APE), and if so, to mitigate that effect. Since the project does involve construction and possible 'ground-disturbing' activities, it may be advisable to employ a Native American Monitor for the construction portion of the project as recommended below.

To adequately assess the project-related impacts on historical resources, the Commission recommends the following action for California-based projects:

- ✓ Contact the appropriate archaeological Information Center; possibly at the University of Nevada, Reno or Las Vegas. The record search will determine:
 - If a part or the entire APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
 - ✓ You have had your consulting firm contact this office for a Sacred Lands File search; no cultural resources were identified in the project area (APE).
 - The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources. In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- ✓ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
 - NEPA Guidelines requires the lead agency to work with the Native Americans that may be affected by the project. If the EA identifies the presence or likely presence of Native American human remains within the APE, the NAHC, recommends appropriate and dignified treatment of Native American human remains and any associated grave liens. Please consider those guidelines even though the project was reviewed under NEPA.]

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Singleton", with a long horizontal flourish extending to the right.

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: List of Native American Contacts

**Native American Contacts
Inyo County
November 13, 2007**

Big Pine Band of Owens Valley
David Moose, Chairperson
P. O. Box 700
Big Pine , CA 93513
bigpinetribaladmin@earthlink.
(760) 938-2003
(760) 938-2942-FAX

Owens Valley Paiute

Timbisha Shoshone Tribe
Joe Kennedy, Chairperson
785 North Main Street, Suite Q Western Shoshone
Bishop , CA 93514
dianne@timbisha.org
(760) 873-9003
(760) 873-9004 FAX

Bishop Paiute Tribe
Tilford Denver, Chairperson
50 Tu Su Lane
Bishop , CA 93514
(760) 873-3584
(760) 873-4143

Paiute - Shoshone

Ron Wermuth
P.O. Box 168
Kernville , CA 93238
warmoose@earthlink.net
(760) 376-4240 - Home
(916) 717-1176 - Cell

Tubatulabal
Kawaiisu
Koso
Yokuts

Fort Independence Community of Paiute
Carl Dahlberg Chairperson
P.O. Box 67
Independence , CA 93526
stephanie@fortindependence.
(760) 878-2126
(760) 878-2311- Fax

Paiute

Tehachapi Indian Tribe
Attn: Charlie Cooke
32835 Santiago Road
Acton , CA 93510
suscol@interx.net

Kawaiisu

Lone Pine Paiute-Shoshone Reservation
Marjianne Yonge, Chairperson
P.O. Box 747
Lone Pine , CA 93545
admin@lppsr.org
(760) 876-1034
(760) 876-8302 Fax

Paiute
Shoshone

Bishop Paiute Tribe
Brian Adkins, Environmental Mger
50 Tu Su Lane
Bishop , CA 93514
tcsec@paiute.com
(760) 873-3076

Paiute - Shoshone

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH#1999084008; NEPA draft Environmental Impact Statement (DEIS) for the YUCCA MOUNTAIN Geologic Repository Project located in Nye County, Nevada. (Inyo County, closest California county.)

**Native American Contacts
Inyo County
November 13, 2007**

Lone Pine Paiute-Shoshone Reservation
Sandy Jefferson Yonge, Cultural Representative
880 Zucco Road Paiute
Lone Pine , CA 93545 Shoshone
hutsie@qnet.com
(760) 876-5658
(760) 876-8302 fax

Kern Valley Indian Council
Robert Robinson, Historic Preservation Officer
P.O. Box 401 Tubatulabal
Weldon , CA 93283 Kawaiisu
brobinson@mchsi.com Koso
(760) 378-4575 (Home) Yokuts
(760) 549-2131 (Work)

Timbisha Shoshone Tribe THPO
Barbara Durham, Tribal Historic Preservation Officer
P.O. Box 206 Western Shoshone
Death Valley , CA 92328
dvdurbarbara@netscape.com
(760) 786-2374
(760) 786-2376 FAX

Bishop Paiute Tribe THPO
Theresa Stone-Yanez, Tribal Historic Preservation
50 Tu Su Lane Paiute-Shoshone
Bishop , CA 93514
(760) 873-3584, Ext 250
(760) 873-4143 - FAX

Big Pine Band of Owens Valley THPO
Bill Helmer, Tribal Historic Preservation Officer
P.O. Box 700 Paiute
Big Pine , CA 93513
amargosa@aol.com
(760) 938-2003
(760) 938-2942 fax

Walker River Reservation
Genia Williams, Chairperson
P.O. Box 220 Northern Paiute
Schurz , NV 89427
chair@wrpt.us
775-773-2306
775-773-2585 - Fax

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